

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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C.H. ROBINSON WORLDWIDE, INC.,

Case No. 13-CV-1077 (PJS/JJG)

Plaintiff,

v.

ORDER GRANTING MOTION FOR  
PRELIMINARY INJUNCTION

NICHOLAS WALTERS and  
CARGOBARN, INC.,

Defendants.

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On May 13, 2013, plaintiff C.H. Robinson Worldwide, Inc. (“C.H. Robinson”) moved for a temporary restraining order and preliminary injunction against defendants Nicholas Walters and CargoBarn, Inc. (“CargoBarn”). ECF No. 8. The following day, the Court ordered defendants to serve and file a response to C.H. Robinson’s motion by no later than 12:00 p.m. on May 16, 2013. ECF No. 18. That deadline has now passed, and defendants have not filed a response to C.H. Robinson’s motion. The Court therefore treats the motion as unopposed and grants it.

In addition, Daniel A. Haws has moved to withdraw as defendants’ counsel. ECF No. 21. Along with his motion to withdraw, Haws has submitted a letter sent to him by Walters and CargoBarn informing him “that they no longer wish to utilize [his] services in connection with” this matter, and that they do not intend to pay for any services rendered by him after receipt of the letter. ECF No. 22-1 at 1. Given those circumstances, the Court finds good cause to allow Haws to withdraw and grants his motion.

Finally, C.H. Robinson has moved for expedited discovery. Given that the Court is entering the preliminary injunction sought by C.H. Robinson, the Court does not see the need for

expedited discovery. If C.H. Robinson disagrees, it can renew its motion, and seek a ruling in the first instance from Magistrate Judge Graham.

#### ORDER

Based on the foregoing, and on all of the files, records, and proceedings herein, IT IS HEREBY ORDERED THAT:

1. The motion of plaintiff C.H. Robinson Worldwide, Inc. for a preliminary injunction [ECF No. 8] is GRANTED.
  - a Defendant Nicholas Walters is ENJOINED from soliciting, selling, or rendering services — either directly or indirectly — on behalf of CargoBarn or any other business to the following: Foster Farms; Camino Real; Amcor Packaging; Treasury Wine Estates; Ruiz Foods; Talking Rain Beverage; Southern Wine and Spirits; Graham Packaging; Arevalos; Tropicale Foods, Inc.; Valley Fine Foods; Three Rivers Trucking; Diamond Pet Food; Stratas Foods; MCT Dairies; and National Raisin Company.
  - b. Defendant Nicholas Walters is ENJOINED from causing or attempting to cause any customer of C.H. Robinson to divert, terminate, limit, or in any manner modify or fail to enter into any actual or potential business relationship with C.H. Robinson.
  - c. Defendant CargoBarn, Inc. is ENJOINED from interfering with the confidentiality and noncompetition agreement between C.H. Robinson and Walters.

2. The motion of plaintiff C.H. Robinson Worldwide, Inc. for expedited discovery [ECF No. 8] is DENIED WITHOUT PREJUDICE.
3. Attorney Daniel A. Haws's motion to withdraw as attorney for defendants Nicholas Walters and CargoBarn, Inc. [ECF No. 21] is GRANTED.
4. Plaintiff C.H. Robinson Worldwide, Inc. is ORDERED to personally serve a copy of this order on defendants Nicholas Walters and CargoBarn, Inc. as soon as possible.
5. Plaintiff C.H. Robinson Worldwide, Inc. is ORDERED to post a bond with the Clerk of Court in the amount of \$5,000 no later than May 24, 2013.
6. The hearing scheduled for 9:00 a.m. on Monday, May 20, 2013 is CANCELED.

Dated: May 16, 2013

s/Patrick J. Schiltz  
Patrick J. Schiltz  
United States District Judge